

Message Text

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ORIGIN EB-07

INFO OCT-01 AF-06 EUR-12 NEA-09 ISO-00 CAB-02 CIAE-00

COME-00 DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 L-02

H-02 SS-15 NSC-05 /068 R

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EUR/WE - E.BEIGEL (INFO)

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R 111534Z MAR 75

FM SECSTATE WASHDC

TO AMEMBASSY ABIDJAN

INFO AMEMBASSY LAGOS

AMEMBASSY DAKAR

AMEMBASSY MONROVIA

AMEMBASSY ACCRA

AMEMBASSY BRUSSELS

AMCONSUL CASABLANCA

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E.O. 11652:N/A

TAGS: EAIR, IV

SUBJECT: CIVAIR: BILATERAL WITH IVORY COAST

REF: (A) ABIDJAN 1831; (B) ABIDJAN 1832; (C) STATE
37671

1. PER PARA 6, REF (B), DEPARTMENT SUBMITS FOLLOWING RES-
PONSE TO YOUR QUESTIONS:

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A. IF GOIC OFFICIALLY REQUESTS CIVAIR NEGOTIATIONS, USG

DOES NOT HAVE TO ACQUIESCE. OUR RESPONSE WOULD BE BASED ON OUTCOME POLICY REVIEW MENTIONED REF (C).

B. FOREIGN CARRIERS DO NOT REQUIRE USG PERMISSION TO INCREASE NUMBER OF FREQUENCIES OR CAPACITY. FREQUENCY AND CAPACITY CHANGES ARE FUNCTION OF AIRLINE MANAGEMENT DECISIONS. HOWEVER, PART 213 OF CAB ECONOMIC REGULATIONS CONTAINS PROVISIONS TO LIMIT FREQUENCIES AND CAPACITIES OF FOREIGN CARRIERS IN ABSENCE OF RECIPROCITY AND COMITY TO US CARRIERS OPERATING IN AFFECTED FOREIGN TERRITORIES. FOR EXAMPLE, IF GOIC WERE TO RESTRICT PAN AM, RECIPROCAL RESTRICTIONS AGAINST AIR AFRIQUE COULD NOT BE RULED OUT.

C. DEPARTMENT BELIEVES BILATERAL MAY BE COUNTERPRODUCTIVE TO GOIC. WERE A BILATERAL NEGOTIATED, AIR AFRIQUE COULD APPLY TO CAB FOR OPERATING PERMIT OF INDEFINITE DURATION. HOWEVER, SINCE PERMIT WOULD BE VALID INDEFINITELY, IT PROBABLY WOULD BE MORE RESTRICTIVE THEN PRESENT ONE WITH RESPECT TO AIR AFRIQUE TRAFFIC RIGHTS. USG COULD ALSO REQUIRE THAT ANY BILATERAL CONTAIN PROVISIONS PROHIBITING A-PRIORY CONTROL OVER FREQUENCIES AND CAPACITY BY RESPECTIVE GOVERNMENTS. SUCH CONTROL IS PRESENTLY EXERCISED BY WEST AFRICAN GOVERNMENTS OVER PAN AM.

2. PAN AM HAS MADE A PITCH TO NEGOTIATE AIR AGREEMENT WITH GOIC, CITING PROFITABLE WEST COAST AFRICA MARKET AND NEED TO MEET GOIC CONDITIONS FOR BILATERAL IN ORDER TO PROTECT THIS MARKET. AIRLINE HAS NOT YET SUBMITTED DETAILED STUDY RE AFRICA MARKETING PLANS AS REPORTED REF C. ALTHOUGH POLICY REVIEW MENTIONED REF C CONTINUES, WE ARE YET UNCONVINCED THAT ADEQUATE GROUNDS EXIST FOR CHANGING EXISTING POLICY OF NO NEW CIVAIR BILATERALS WITH AFRICAN COUNTRIES.

3. FYI: WE NOTE THAT AIR AFRIQUE IS SERVING GABON AND TOGO CONTRARY TO ITS SEC. 402 PERMIT. NO ENFORCEMENT ACTION IS BEING PLANNED AT PRESENT. HOWEVER, THIS MAY CHANGE IF GOIC RESTRICTS PAN AM. EMBASSY MAY USE ABOVE INFORMATION AS APPROPRIATE. END FYI. INGERSOLL

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